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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/552,555  
Filing Date: May 26, 2006  
Appellant(s): EICHHORN ET AL.

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James Babineau  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 9/01/2011 appealing from the Office action  
mailed 1/06/2011

**(1) Real Party in Interest**

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The following is a list of claims that are rejected and pending in the application:  
Claims 1, 4, 9, 10, 12, 15, 18, 19, 23, 24, and 30-32 are pending and rejected.

**(4) Status of Amendments After Final**

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

**(5) Summary of Claimed Subject Matter**

The examiner has no comment on the summary of claimed subject matter contained in the brief.

**(6) Grounds of Rejection to be Reviewed on Appeal**

### **WITHDRAWN REJECTIONS**

The following grounds of rejection are not presented for review on appeal because they have been withdrawn by the examiner.

Claims 1, 4, 9, 10, 12, 15, 18, 19, 23, 24, and 30 were rejected under U.S.C. 103(a) rejection as being unpatentable over Braun (U.S. Patent 5,614,030) in view of Somers et al. (U.S. Patent 3,283,185) and in further view of Chang (U.S. Patent 5,321,349). The Somers et al. reference has been withdrawn from the rejection. No new grounds of rejection have been entered and the rejection of 35 U.S.C. 103(a) rejection as being unpatentable over Braun (U.S. Patent 5,614,030) in view of Chang (U.S. Patent 5,321,349) for claims 1, 4, 9, 10, 12, 15, 18, 19, 23, 24, and 30 is maintained.

### **(7) Claims Appendix**

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

### **(8) Evidence Relied Upon**

5,614,030	Braun	3-1997
5,321,349	Chang	6-1994
3,710,224	Daniels	1-1973
2002/0069902	Hoser et al.	6-2002

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

***Claims 1, 4, 9, 10, 12, 15, 18, 19, 23, 24, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Braun (U.S. Patent 5,614,030) in view of Chang (U.S. Patent 5,321,349).*** In regards to claims 1, 12, 18 and 23 Braun discloses an electric shaver system comprising a dry shaving apparatus (2) including a shaving head (3); and a cleaning and charging station (5) defining a receiving arrangement for receiving the dry shaving apparatus; wherein the dry shaving apparatus includes a first connector (contact means of the shaving apparatus not numbered; col. 4, lines 54-62) configured to couple with an associated connector (12) for the cleaning and charging station to transmit charging energy (supplying current) and control signals (i.e. establishing contact with; col. 4, lines 53-56) between the apparatus and station while the apparatus is received in the station.

Braun does not disclose wherein the dry shaving apparatus includes an additional connector, spaced from the first connector and configured to couple the dry shaving apparatus for receiving charging energy with the dry shaving apparatus removed from the cleaning and charging station. However, attention is directed to the Chang reference. Chang discloses a rechargeable/portable DC power supply that also functions as a flashlight. The rechargeable battery can be situated within a housing for engaging with the re-energizing source or can be directly connected to the powering source. Chang discloses providing the rechargeable battery/flashlight with a plurality of

sockets to be mated with different plugs on different electrical applications for recharging the internal battery. Furthermore, it could be considered that the recharging socket 93 of Chang is an equivalent structure to the docking station of the cleaning device 5 of Braun and that the external power input socket 81 of Chang is the taught additional connector. Thus, it would have been obvious to one having ordinary skill in the art to add an additional connector locations as taught by Chang onto the single electric shaver/body of Braun to increase the number of ways and stations that the electric shaver could be employed with to recharge the internal rechargeable battery, and thereby the shaver could be charged directly without the use of the cleaner apparatus. Commercially, this allows for the electric shaver to be more marketable, being useable with various charging stands and not necessarily only the one being supplied with the cleaning device. Thus, the Braun electric shaver would not necessarily need to be sold only with the Braun cleaning device to be able to recharge the battery, but other less complex charging stations would also be possible.

In regards to claims 4, 15, and 24, the modified device of Braun discloses wherein the additional connector (Chang) is an electrical plug type connection (i.e. 61-63 or 81 or 94).

In regards to claim 9 and 19, the modified device of Braun discloses wherein the first connector is arranged in close proximity to the shaving head and the additional connector is arranged on an end of the dry shaving apparatus at a remote distance from the shaving head (as modified).

In regards to claim 10, the modified device of Braun discloses wherein the plug type connection comprises an appliance socket (Chang i.e. 61-63 or 81 or 94).

In regards to claim 30, the modified device of Braun discloses wherein the first connector is configured to transmit charging energy (supplying current), control signals (shaving apparatus can be set in operation) and information (i.e. establishing contact with; col. 4, lines 53-56) between the dry shaving apparatus and the cleaning and charging station while the dry shaving apparatus is received in the cleaning and charging station.

***Claims 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Braun(U.S. Patent 5,614,030) in view of Chang (U.S. Patent 5,321,349) and in further view of Daniels (U.S. Patent 3,710,224).*** The modified device of Braun does not disclose that the same power cord that powers the cleaning and charging station can be used for powering the dry shaving apparatus. However, attention is directed to the Daniels reference which discloses a shaver with rechargeable batteries. Daniels discloses that the batteries can be re-energized by a power pack (14) which plugs into the shaver or alternatively into a stand which supports the shaver. The power pack is connected by a power cord into a standard wall outlet. Thus Daniels teaches that is well known to use the same power supply to supply power directly to the apparatus or directly to the stand with the same end result of recharging the batteries of the shaver. It similarly would have been obvious to have designed the shaver of Braun to accept the same power plug as used to power the cleaning and charging station as taught by

Daniels to minimize the needed accessories to recharge the batteries in the various configurations.

***Claims 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Braun (U.S. Patent 5,614,030) in view of Chang (U.S. Patent 5,321,349) and in further view of Hoser et al. (U.S. Publication 2002/0069902), herein referred to as Hoser.*** The modified device of Braun discloses wherein the cleaning and charging station is configured to vertically receive the shaving head of the dry shaving apparatus in an open trough void of obstructions. Braun discloses the claimed invention except that the trough is defined in part by a rear wall arranged to support the dry shaving apparatus in a leaning position, such that coupling of the first connector of the dry shaving apparatus with the associated connector of the cleaning and charging station is maintained by weight of the dry shaving apparatus leaning against the rear wall. However, attention is further directed to the Hoser apparatus. Hoser discloses another cleaning and charging station for a razor as similarly shown by Braun. However, instead of the wall being completely vertical, Hoser discloses providing the rear wall at an angle to help support the weight of the shaver. It would have been obvious to one having ordinary skill in the art at the time of the invention to have similarly modified the Braun trough to have an angled supporting wall as shown by Hoser for the same benefits of reducing the strain on the electrical connections.



**(10) Response to Argument**

The Appellant's first contention is that Braun and Chang are not analogous art. It has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Braun is a small hand held portable device, a shaver, with rechargeable battery. Chang is also a small hand held portable device, a flashlight with a rechargeable battery. Although the flashlight and shaver arts may not be analogous arts, the problem of recharging batteries on small hand held portable devices is within the field of the applicant's endeavor and pertinent to the particular problem with which the applicant was concerned; recharging the battery. Thus it is not so much the design of the device, both devices being a relatively the same size and having similar power requirements, but rather the method of battery recharging that is material to the issue being presented. It is obvious to look to other battery powered devices for incorporable improvements in the battery arts, especially when the outcome is obvious. In this case, the addition of another connector is a redundant feature that allows for various charger designs to be capable of recharging the battery. Redundancy in design is a very old and obvious modification. As Chang already teaches multiple charging ports (see at least 81 and 930) on a single device, obviously, the incorporation of multiple connections on a single device is not a novel or unobvious idea. Furthermore, as set forth by the *KSR International Co. v. Teleflex Inc.* decision, all of the claimed elements

were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. The Appellants have no other structure in their claims to further distinguish this concept over the prior art, as the only difference is the combination of the two connectors onto a single shaver. It is further noted that Appellant's claims only distinguish that only one of the connectors is for transmitting energy and control signals, while the other connector is for also transmitting energy. Braun's connector provides for both energy and control signal transmittal, such that a secondary connector such as established by Chang for only providing energy would be obvious over the claimed limitations and not subject to the limitations that it also be for providing control signals.

Claim 31 recites that it is the same power cable that it being utilized to provide power to the cleaning and charging station as well as being capable of alternatively providing power directly to the shaver. The Appellant argues that Daniels does not disclose that the same cable is used to power both the shaver and the base and rather, that the same cable is used to only power the shaver, the shaver being received alone and also within the base. It appears that the Appellant may be correct on some of these contentions, however, it is also pointed out that in adding a second redundant connector there are only two possible outcomes as the claims are written; the connections accept the same cable or two different cables are provided. Thus there are a finite number

(two) of identified predictable solutions with a reasonable expectation of success.

Utilizing the same cable in both connections is based on obvious design choice depending on the designed/ desired mating electrical connection. Conversely, providing two connections that do not work with the same cable is also an obvious design feature depending on the designed/ desired mating electrical connection. The connection design is not a critical aspect of the invention but merely one based on obvious design choice. However, providing the same cable to be used to power both the shaver and the base is obviously beneficial in that only one cable is needed to perform both tasks and simplifies the shaver charging design and is also factors in as a system cost savings.

In regards to claim 32, the Appellants argue that in the rejection of Braun in further view of Hoser, that Hoser does not disclose "a rear wall arranged to support the dry shaving apparatus in a leaning position, such that the coupling of the first connector of the dry shaving apparatus with the associated connector of the cleaning and charging station is maintained by weight of the dry shaving apparatus leaning against the rear wall." It is first noted that structurally, the rear wall of Hoser, as similarly shown by applicant, is supporting the razor and that the wall is in a leaning position. Furthermore, whether or not the razor as depicted in Hoser's Figure 1 is shown touching the rear wall of the cleaning and charging station, or is a minuscule amount away from the wall, the support elements 16, of which the top of the shaver is resting do not form a secure attachment. Thereby, the razor is movable or repositionable, such that it taking the

limitations "leaning on" to mean actually touching, the razor is capable of being slightly adjusted to rest against the rear wall if not already leaning on it. Although, Hoser does not specifically say one way or the other as to whether the razor actually touches the back wall, it is apparent that the leaning design is meant to better support the razor and providing an additional surface to rest the razor against would alleviate stress from the connector supporting the razor by itself.

Secondly, the wall 18, can also be considered the rear wall in that it is at the bottom of the trough, and is at an incline and supports the shaving head. Thus, the razor is "sandwiched" between the wall 18 and the connector 24 and the connection is indeed maintained by the weight of the shaver leaning against the rear wall. So, in considering either the wall that is parallel to the Hoser razor or the wall at the bottom of the trough 18 as the rear wall, both anticipate the limitations of supporting the razor in an inclined position such that the coupling of the shaver with the connector of the cleaning and charging station is maintained by the weight of the shaving apparatus leaning against the rear wall.

#### **(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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